

REMARKS

Claims 1, 3, 12, and 22 are amended, no claims are canceled, and no claims are added; as a result, claims 1-24 are now pending in this application.

Support for the amendments to claims 1, 3, 12, and 22 can be found throughout the specification, and for example, on page 7 at lines 21-26 and in FIG. 1 and FIG. 2. No new matter has been added through these amendments to claims 1, 3, 12, and 22.

§101 Rejection of the Claims

Claims 1-24 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter.

Applicant believes that the language of claims 1-24 is clearly directed to statutory subject matter under 35 U.S.C. § 101 both before and after this amendment. By way of example, and not by way of limitation, the recitations of claim 1 describe a gateway including a command interpreter engine, a search and analysis engine, and a transformation engine, each of which produces a concrete, useful, and tangible result related to the field of information retrieval using remote devices. Further, claims 12 and 22 recite a method and a program product respectively related to information retrieval using remote devices.

Applicant respectfully submits that upon reading the specification and claims of the present patent application, one would see that the present invention has practical application in the technological arts. The claims do not describe merely functional descriptive material, non-functional descriptive material, or a natural phenomenon. Some of the pending claims describe a series of steps to be performed on a computer and other pending claims describe a specific machine or system. Applicant believes that upon evaluation of the claims, one would find that the product and processes described by the pending claims include significant pre-computer processing activity (e.g., keywords in input speech, contents retrieved from a network, etc.) and post-computer processing activity (e.g., converting retrieved content to a format supported by a client device, etc.). See *Examination Guidelines for Computer-Related Inventions*, 61 Fed. Reg. 7478, March 29, 1996, effective date March 29, 1996. As such, Applicant respectfully believes the claimed invention is directed to statutory subject matter.

Applicant further respectfully submits that the rejection fails to make a *prima facie* case to support the conclusion that the claims are directed to non-statutory subject matter. There are no clear statements of why the claimed invention is an abstract idea. The rejection fails to point to specific disclosure portions that support a non-statutory conclusion. See also, Training Materials Directed To Business, Artificial Intelligence, and Mathematical Processing Applications, www.uspto.gov/web/offices/pac/compexam/comguide.htm. Applicant respectfully submits that the rationale provided in the Office Action to support the non-statutory subject matter rejection is unsupported by the facts. Therefore, Applicant respectfully traverses the non-statutory subject matter rejection of claims 1-24 under 35 U.S.C. § 101, and requests removal of this rejection.

§103 Rejection of the Claims

35 U.S.C. § 103(a) Rejection of claims 1-2, 8, 10-13, and 17-24.

Claims 1-2, 8, 10-13, and 17-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hasan (U.S. 6,404,859) in view of Wong et al. (U.S. 6,748,375 B1). The patent Wong et al. is a removable reference under 35 U.S.C. § 102(e) even when used in a rejection under 35 U.S.C. § 103(a). Applicant does not admit that the Wong et al. patent is prior art to the present invention and respectfully reserves the right to swear behind the Wong et al. patent at a later date. Applicant chooses at this time to merely distinguish the Wong et al. patent.

The proposed combination of Hasan and Wong et al. fails to disclose all of the elements included in claims 1-2, 8, 10-13, and 17-24.

Claim 1 as amended now recites "a service sniffer to direct inputs to a plurality of portals based on the type of data received from a client device; a command interpreter engine coupled to one or more of the plurality of portals to detect keywords in speech when the data received includes a compressed speech input." Claims 12 and 22, as amended now recite, "receiving a user input including data from a client device; directing the user input to one or more of a plurality of portals based on the type of data received in the user input."

The proposed combination of Hasan and Wong et al. fails to describe these elements as recited in claims 1, 12, and 22. For example, Figure 1 of Hasan shows voice signals

appearing on signal path 15 are applied to an authentication block 18, and then are made available to a speech recognition block 20. (See Hasan at column 3, lines 48-54). However, there is no disclosure in Hasan of a service sniffer to direct inputs to a plurality of portals based on the type of data received from a client device, as recited in claim 1. Further, there is no disclosure in Hasan of directing user inputs to one or more of a plurality of portals based on the type of data received, as recited in claims 12 and 22.

Wong et al. also fails to provide the elements recited in claims 1, 12, and 22 and missing from Hasan. Wong et al. shows, for example in Fig. 5, an audio decoding system, but fails to disclose a service sniffer as recited in claim 1, and further, fails to disclose directing inputs to a plurality of portals based on the type of data received from a client device, as recited in claims 1, 12, and 22.

Thus, the proposed combination of Hasan and Wong et al. fails to disclose all of the elements recited in claims 1, 12, and 22. Further, claims 2, 8, and 10-11 depend from claim 1, claims 13 and 17-21 depend from claim 12, and claims 23-24 depend from claim 22. Therefore, the proposed combination of Hasan and Wong et al. fails to disclose all of the elements included in dependent claims 2, 8, 10-11, 13, 17-21, and 23-24.

Because the proposed combination of Hasan with Wong et al. fails to disclose all of the elements included in claims 1-2, 8, 10-13, and 17-24, the 35 U.S.C. § 103(a) rejection of these claims cannot stand. For at least the reasons stated above, Applicant respectfully requests withdrawal of the rejection of claims 1-2, 8, 10-13, and 17-24, and reconsideration and allowance of all claims pending in the application.

35 U.S.C. § 103(a) Rejections of claims 3-7, 9, 14, and 15-16.

Claims 3-7 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hasan (U.S. 6,404,859) in view of Wong et al. (U.S. 6,748,375 B1) and further in view of Jimenez et al. (U.S. 2002/0006124 A1).

Claim 14 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Hasan (U.S. 6,404,859) in view of Wong et al. (U.S. 6,748,375 B1), and further in view of Aarnio et al. (U.S. 2005/0059426 A1).

Claims 15-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hasan (U.S. 6,404,859) in view of Wong et al. (U.S. 6,748,375 B1), and further in view of Balog et al. (U.S. 2002/0022453 A1).

For each of these rejections, the patent Wong et al. is a removable reference under 35 U.S.C. § 102(e) even when used in a rejection under 35 U.S.C. § 103(a). Applicant does not admit that the Wong et al. patent is prior art to the present invention and respectfully reserves the right to swear behind the Wong et al. patent at a later date. Applicant chooses at this time to merely distinguish the Wong et al. patent.

The proposed combinations of documents used in rejecting claims 3-7, 9, 14, and 15-16 fails to disclose all of the elements included in claims 3-7, 9, 14, and 15-16.

Claims 3-7 and 9 depend from claim 1, and therefore include all of the elements recited in claim 1. Claims 14 and 15-16 depend from claim 12, and therefore include all of the elements recited in claim 12. Applicant believes they have established that the proposed combination of Hasan and Wong et al. fails to disclose all of the elements recited in claims 1 and 12. Further, Applicant's representatives have reviewed the additional references of Jimenez et al., Aarnio et al., and Balog et al., and fail to find in any of these documents a disclosure of the elements included in claims 3-7, 9, 14, and 15-16 and missing from the proposed combination of Hasan and Wong et al.

Because the proposed combinations of documents used in the rejections of claims 3-7, 9, 14, and 15-16 fail to disclose all of the elements included in these claims, the 35 U.S.C. § 103(a) rejections of claims 3-7, 9, 14, and 15-16 cannot stand. For at least the reasons stated above, Applicant respectfully requests withdrawal of the rejections of claims 3-7, 9, 14, and 15-16, and reconsideration and allowance of all claims pending in the application.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney ((612) 373-6904) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

LIANG HE ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
Attorneys for Intel Corporation
P.O. Box 2938
Minneapolis, Minnesota 55402
(612) 373-6904

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By Daniel J. Kluth
Daniel J. Kluth
Reg. No. 32,146

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 21 day of September, 2005.

Daniel J. Kluth
Name

Daniel J. Kluth
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